

Notice of Allowability

Application No.

10/686,571

Applicant(s)

TOBIISHI, TOSHIHARU

Examiner

Syed Y. Hasan

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/24/2008.
2. ☒ The allowed claim(s) is/are 1,6,9,10,12,13,14, and 16 (renumbered 1 - 8).
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including charges required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date <u>See Continuation Sheet</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

Allowable Subject Matter

1. Claims 1, 6, 9, 10, 12, 13, 14 and 16 are allowed.
2. The following is a statement of reasons for the indication of allowable subject matter:

The present invention of claims 1, 6, 9, 10, 12, 13, 14 and 16 is directed to a broadcast signal receiving apparatus including a tuner for selecting a broadcasting station or a program, which becomes a reception subject, a program recording/playing circuit for recording a received signal of the reception subject, a control unit for controlling start of recording a signal on the program recording/playing circuit and a memory unit for storing the selected time period measured by the control unit. The control unit controls the program recording/playing circuit by using a fact that a selected time over which the reception subject has been selected exceeds a predetermined time, as a condition under which recording is started.

Independent claim 1 identifies the unique distinct feature "wherein the control unit (a) measures a selected time period during which the channel broadcasting the program is selected while correlating the selected time period with program information of the program in a case where the selection circuit selects the channel, (b) interrupts measuring the selected time period while storing the selected time period into the memory unit in a case where the selected channel is changed to another channel and restarts the measurement in a case where the channel is selected again so as to view a program relating to the selected time period stored in the memory unit, and (c) performs control to record the program broadcasted on the selected channel on the

recording device in a case where the measured time period exceeds the elapsed time threshold set via the operation unit.”

The closest prior art, Abecassis (US 6038367) discloses in instances where the viewing of the video is interrupted by a communication, delivery of the video is automatically placed on hold (paused) in response to the viewer accepting the communication. Upon completion of the communication, the delivery of the video is automatically restarted at the point placed on hold, at some pre-defined amount of time prior to the placing on hold of the video, or at a suitable prior point in the video but it does not disclose the control unit interrupts measuring the selected time period while storing the selected time period into the memory unit in a case where the selected channel is changed to another channel and restarts the measurement in a case where the channel is selected again so as to view a program relating to the selected time period stored in the memory unit

Therefore claim 1 is allowed over prior art.

Since claims 6, 9 and 14 are dependent on claim 1, therefore they are allowed.

Independent claim 10 identifies the unique distinct feature “a process for selecting a channel in a received broadcast signal; a process for setting an elapsed time threshold; a process for measuring a selected time of the selected channel; and a process for recording a program broadcasted on the selected channel, in a case where the selected time exceeds the elapsed time threshold: wherein the selected time of the selected channel is measured while correlating the selected time with program information of a program which the channel is broadcasting, wherein in a case where

the selected channel is changed to another channel, the measurement of the selected time is interrupted and the measured time is stored into a memory unit, and wherein in a case where the channel is selected again so as to view a program relating to the selected time stored in the memory unit, the measurement of the selected time is restarted.”

Since claims 12, 13 and 16 are dependent on claim 10, therefore they are allowed.

Therefore, claims 1, 6, 9, 10, 12, 13, 14 and 16 are allowed over prior art.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Syed Y. Hasan whose telephone number is 571-270-1082. The examiner can normally be reached on 9/8/5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

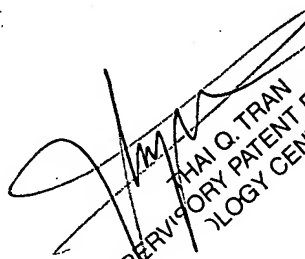
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from

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a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

S. Y. H.
02/14/2008


THAI Q. TRAN
SUPERVISORY PATENT EXAMINER
BIOLOGY CENTER 2600

Continuation of Attachment(s) 3. Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date: 1/30/2004, 10/17/2005, 12/09/2005, 08/08/2006, 12/17/2007 and 1/24/2008.